



## **Request for Quotations for Probation Incentives and Violations Sanctions Project**

### **I. Purpose**

The Indiana Judicial Center (IJC) issues this announcement on October 30, 2012, to solicit quotations from individuals and entities that wish to be considered to provide subject-matter expertise to assist in the development of a schedule of progressive probation incentives and violation sanctions for use by Indiana probation departments. The requested work is for Indiana's Probation Incentives and Sanctions Project, which is supported by Grant #12-DJ-1668 through the Indiana Criminal Justice Institute's Justice Assistance Grant Program.

IJC will consider quotations received on or before December 13, 2012 that comply with the procedures described below. The project period will commence in January 2013 upon execution of the contract and end December 31, 2013. IJC has budgeted approximately \$75,000 for this project.

### **II. Background**

Probation services in Indiana fall within the jurisdiction of the judiciary and the probationer remains under court jurisdiction until completion of the term of probation. Probation officers are trial court employees and are subject to the appointment and supervisory power of the courts that they serve. The organization of individual probation departments and their related services reflects the diverse nature of Indiana's local court structures. The Judicial Conference of Indiana, led by its policy-making Board of Directors and chaired by the Chief Justice of Indiana, sets guidelines, policies and standards for probation, as directed by the Indiana General Assembly. These guidelines, policies and standards include probation officer qualification and certification, continuing education requirements, and minimum compensation for probation officers. While guidelines, standards and policies for probation are set at the state level, probation is administered at the local level by trial courts and funded at the local level by county general funds and probation user fees.

The Indiana Judicial Center is an administrative agency of the Indiana Supreme Court and also serves as the staff agency to the Judicial Conference of Indiana. The Judicial Center carries out many of the statutory responsibilities of the

Judicial Conference, including assisting local courts with developing and improving probation services and establishing standards for probation officers. At the end of 2011, Indiana's 126 probation departments were supervising 150,085 adults and juveniles.

In January 2010, Indiana received technical assistance from the Council of State Governments Justice Center and the Pew Center on the States' Public Safety Performance Project. The technical assistance was requested by Governor Mitch Daniels, then Indiana Chief Justice Randall Shepard, then Speaker of the House Pat Bauer, and Senate President Pro Tempore David Long to develop a data-driven criminal justice policy framework for the state. CSG Justice Center staff conducted an analysis of Indiana's criminal justice system and convened focus groups from representative criminal justice system members (including judges, prosecutors, public defenders, chief probation officers, and law enforcement executives).

The CSG Justice Center issued its final report on "Justice Reinvestment in Indiana" in December 2010. The report found that "responses to violations of supervision conditions [committed by probationers] are slow and ineffective" and create a public safety challenge. The report further stated: "When someone violates a condition of probation supervision, the response is neither swift nor certain. Probation officers feel that if they had some options for holding offenders accountable for violating the conditions of their supervision—as opposed to requiring them to respond in every instance with a court hearing—it could substantially boost the immediacy and effectiveness of responses, in addition to saving money and freeing jail space. Sheriffs reported that probationers awaiting violation hearings sometimes spend as long as 90 days in jail." (Justice Reinvestment in Indiana Report, p. 11, [www.justicereinvestment.org/states/indiana/pubmaps-in](http://www.justicereinvestment.org/states/indiana/pubmaps-in)). In response to this identified public safety challenge, CSG and Pew recommended Policy Framework 3-B: "enable the use of short, swift and certain responses for probation supervision." In particular, CSG recommended "providing probation officers with options, including short stays in local jails, to enable them to hold people on felony probation accountable for breaking the terms of their supervision, as opposed to requiring a court hearing in response to every violation" and "administrative policies to ensure a process for enabling swift and certain sanctions while protecting the due process rights of offenders shall be developed by the Indiana Judicial Conference." (Justice Reinvestment in Indiana Report, p.12). According to the report, the use of swift and certain responses to probation violations impacts public safety by reducing re-arrests and revocations by individuals on felony probation and impacts prison population by reducing revocations to prison.

During the 2012 session of the Indiana General Assembly, the legislature passed HEA 1200, P.L. 147- 2012 which states in Section 2 that "The board [Board of Directors of the Judicial Conference of Indiana] shall adopt rules consistent with

this chapter [[Indiana Code 11-13-1-8](#), which sets out the Board's responsibilities with respect to probation], prescribing minimum standards concerning: ... (5) a schedule of progressive probation incentives and violation sanctions, including judicial review procedures; and (6) qualifications for probation officers to administer probation violation sanctions under [IC 35-38-2-3\(e\)](#) [the probation violation statute]. This section of the bill was introduced as a result of the Justice Reinvestment in Indiana Report from 2010. The bill was signed into law by Governor Daniels and became effective on July 1, 2012.

The goal of the Indiana Probation Incentives and Sanctions Project is to develop evidence-based guidelines for administering intermediate incentives and sanctions in response to compliance and non-compliance based upon the probationers risk, needs and responsivity factors. IJC staff will convene a multidisciplinary workgroup of 20 stakeholders representing the judiciary, probation, prosecutors and defense attorneys to serve on the workgroup. Upon completion, IJC anticipates piloting the guidelines in a small number of probation departments and conducting training for probation officers.

### **III. Contractor Functions**

- A. The contractor will attend meetings of the incentives and sanctions workgroup. The workgroup members will be selected by IJC staff and will include judges, probation officers, prosecutors, and public defenders.
- B. The contractor will provide training to the project staff and workgroup regarding research in support of intermediate incentives and sanctions and behavior modification for criminal and juvenile justice populations.
- C. The contractor will assist the workgroup in development of a research-based schedule of intermediate incentives and sanctions for probationers that take into consideration the probationer's risk, needs and responsivity factors.
- D. The contractor will assist in development of judicial review procedures and provide recommendations regarding the qualifications and training required for persons authorized to administer the guidelines for adult and juvenile probationers.
- E. The contractor will assist in the development of the pilot study to include selecting pilot sites, training staff within those sites to administer the guidelines, developing a mechanism to assess the outcome of the pilot study and providing recommendations to revise the guidelines as appropriate.
- F. The contractor will attend meetings of the Probation Committee and Judicial Conference Board of Directors at the offices of the Indiana Judicial Center, 30

South Meridian Street, Indianapolis, Indiana on a basis agreed upon by IJC staff and contractor.

- G. The contractor will update IJC periodically on the status of the project. The contractor will update the Probation Committee upon request.
- H. The contractor will provide the following deliverables to IJC:
  - 1. Written guidelines and user instructions for evidence-based incentives and sanctions based upon a probationer's risk, needs and responsivity factors.
  - 2. Written guidelines describing the qualifications and training activities required for probation officers to administer the guidelines.
  - 3. Written summary of the research used to support the development of the guidelines.
- I. The contractor will complete the project, including the submission of all deliverables to IJC, by December 31, 2013.

#### **IV. Exclusive Ownership**

Any and all data, forms, surveys, analyses, reports, studies, manuscripts, and other complete or incomplete work product prepared or developed by the consultant in connection with this project shall become the exclusive property of IJC, and may be used by the contractor only upon the prior written consent of IJC.

#### **V. Submission Information**

Interested entities are invited to respond to this request by submitting a written quotation. Quotations should include the following information:

- 1. Identification of the entity making the submission, including a point of contact, e-mail address, fax number, telephone number, and mailing address.
- 2. Identification of the key persons who will work on the project, including a statement of the qualifications and availability for each person. The statement of qualifications should describe the person's experience:
  - a. Providing the contractor functions.

- b. With respect to projects of this nature.
  - c. Working in a collaborative environment.
  - d. Complying with budget and schedule constraints.
3. A specific plan for providing the proposed services, including:
- a. A work schedule.
  - b. A description of how workgroup meetings will be structured and conducted.
  - c. An estimate of the number of workgroup meetings and the amount of time for the meetings.
  - d. A plan for developing written guidelines and user instructions for evidence-based incentives and sanctions.
  - e. A plan for developing guidelines for qualifications and training activities required for probation officers to administer the guidelines.
  - f. A plan for developing training materials.
  - g. A plan for periodically updating IJC on the status of the project.
  - h. A compensation schedule.
4. An itemized budget and budget narrative that details the cost of the proposed services.
5. A statement of financial viability indicating that the entity has the resources required to complete the contract, in compliance with applicable state and federal guidelines.
6. One (1) sample of work completed for a similar project.
7. A list of references from other completed projects, including contact information.
8. Any other information that the entity believes is relevant to the selection process.

Quotations should not exceed 40 pages in length. Sample materials do not count toward the page limit. Submissions must be received by IJC before 3:00 p.m. Eastern Standard Time on December 13, 2012. It is incumbent upon the sender

to confirm receipt of any proposal sent to IJC. Late or nonconforming submissions may be disqualified.

Please mail or email submissions to:

Jennifer Bauer, Staff Attorney  
Indiana Judicial Center  
30 South Meridian Street, Suite 900  
Indianapolis, IN 46204  
[jennifer.bauer@courts.in.gov](mailto:jennifer.bauer@courts.in.gov)

Entities should submit electronic copies of the quotation narrative, budget and budget narrative in PDF.

## **VI. Evaluation and Award Criteria**

The Judicial Conference Probation Committee and IJC staff will use the following criteria in reviewing proposals:

1. The entity's demonstrated experience managing projects that involved state and local criminal justice agencies.
2. The entity's ability to demonstrate that it has the resources to complete the project within the stated time period.
3. The entity's experience developing evidence-based incentive and sanctions guidelines for other jurisdictions at either the state or local level.
4. The entity's ability to document how the entity will use evidence-based principles to assist in the development of the guidelines.
5. The entity's ability and willingness to assist in developing and administering a statewide training curriculum for the purpose of implementing the guidelines, should future funding become available.
6. The overall plan for providing services.
7. The entity's ability to provide a detailed and comprehensive budget that does not exceed \$75,000, and to provide justification for the budget.
8. The quality of the entity's previous performance as described by references listed by the entity.
9. The effectiveness of the entity's communication skills, gauged in part by the completeness and clarity of the quotation.
10. The degree to which the quotation is responsive to the specifications contained in this Request for Quotations.

## **VII. Questions**

Written questions concerning this announcement may be submitted to Jennifer Bauer at [jennifer.bauer@courts.in.gov](mailto:jennifer.bauer@courts.in.gov) by 3:00 p.m. Eastern Standard Time on

November 14, 2012. Questions received after November 14, 2012 may not receive a response. The questions received and the responses to those questions will be posted by 3:00 p.m. Eastern Standard Time on November 21, 2012 at: <http://www.in.gov/judiciary/center/probation/index.htm>.

## **VIII. Schedule**

Submissions of quotation are due no later than 3:00 p.m. Eastern Standard Time on December 13, 2012.

Following receipt and review of the submissions, IJC may make a decision based solely upon the submissions. Alternatively, IJC may seek supplemental information, conduct interviews, or invite one or more entities to submit a more detailed proposal.

IJC anticipates concluding its review of all responses on or about December 31, 2012, unless IJC decides, in its sole discretion, to extend the period of review. A schedule for any further activities may be established by IJC as necessary.

### Anticipated Schedule

Public Notice of Request for Quotations	October 30, 2012
Quotation Submission Period	October 31, 2012 – December 13, 2012
Written Questions Due to IJC	November 14, 2012
Responses to Written Questions Posted	November 21, 2012
Quotation Review Period	December 14, 2012 – December 31, 2012
Award Notification	January 2, 2013
Contract Negotiations	January 3-15, 2013
Contractor Functions Commence	January 15, 2013
Contractor Functions End	December 31, 2013

## **IX. Confidential information**

Potential contractors are advised that materials contained in submissions responsive to this announcement may be subject to the Indiana Public Records Act, IC 5-14-3 et. seq. Potential contractors claiming a statutory exception to disclosure of information under the Act must place all information believed to be confidential into a separate sealed envelope. The envelope must be clearly

marked "Confidential" and must specify the statutory exception provision that applies. IJC reserves the right to make its own determinations of confidentiality. If IJC does not agree that information designated as confidential should be withheld from public access under the Act, it will advise the potential contractor. IJC expects that submissions in response to this announcement will contain sufficient non-restricted data to permit the review to proceed without delay for consideration of extensive claims of confidentiality. Overly burdensome claims for exemptions from public access may cause IJC to view the submission with disfavor.

## **X. Terms and Conditions**

IJC may cancel this Request for Quotations at any time prior to an award. IJC reserves the right to reject any or all Quotations received, and is not required to furnish a statement of the reason why a particular Quotation was not deemed to be the most advantageous.

If IJC selects an entity to be awarded the contract, IJC will enter into contract negotiations with the entity. The contract will include several provisions required under state and federal law and will address, among other things, insurance, indemnification, nondiscrimination, and conflict of interest requirements. The contract may also contain provisions presented by the respondent that are acceptable to IJC, and other terms and conditions to which the parties agree.

If at any time IJC determines contract negotiations to be ineffective, IJC may terminate negotiations. IJC may then begin contract negotiations with the entity who submitted the proposal that was ranked next highest during the evaluation. IJC accepts no obligations for costs incurred by respondents in anticipation of being awarded a contract.

If the funds IJC anticipates using for this project are reduced or restricted, IJC is under no obligation except to the extent that funds are available.

**End**